

1 DANIEL J. BERGESON, Bar No. 105439  
2 [dbergeson@be-law.com](mailto:dbergeson@be-law.com)  
3 MELINDA M. MORTON, Bar No. 209373  
4 [mmorton@be-law.com](mailto:mmorton@be-law.com)  
5 COLIN G. MCCARTHY, Bar No. 191410  
6 [cmcarthy@be-law.com](mailto:cmcarthy@be-law.com)  
7 BERGESON, LLP  
8 303 Almaden Boulevard, Suite 500  
9 San Jose, CA 95110-2712  
10 Telephone: (408) 291-6200  
11 Facsimile: (408) 297-6000

12 Attorneys for Plaintiff  
13 VERIGY US, INC.

14 UNITED STATES DISTRICT COURT  
15 NORTHERN DISTRICT OF CALIFORNIA  
16 SAN JOSE DIVISION

17 VERIGY US, INC, a Delaware Corporation

18 Plaintiff,

19 vs.

20 ROMI OMAR MAYDER, an individual;  
21 WESLEY MAYDER, an individual; SILICON  
22 TEST SYSTEMS, INC., a California Corporation;  
23 and SILICON TEST SOLUTIONS, LLC, a  
24 California Limited Liability Corporation,  
25 inclusive,

26 Defendants.

27 AND RELATED CROSS-ACTIONS  
28

Case No. C07 04330 RMW (HRL)

**PLAINTIFF'S ADMINISTRATIVE  
MOTION FOR LEAVE TO FILE  
DOCUMENTS UNDER SEAL**

Judge: Honorable Howard R. Lloyd  
Ctm: 2

Complaint Filed: August 22, 2007  
Trial Date: None Set

Pursuant to Civil Local Rules 7-11(a) and 79-5(b), Plaintiff Verigy U.S., Inc. (“Plaintiff” or “Verigy”) requests that the following materials be filed under seal, as they contain confidential information that is protected by the Stipulated Protective Order entered by the Court on August 29, 2007. The documents submitted under seal include:

1. Portions of Verigy’s Notice of Motion, Memorandum of Points and Authorities (“MPA”), and Motion to Compel Production of Documents from Silicon Test Systems Inc. in Response to Verigy’s 4th Set of Requests for Production ( collectively “MCP on 4<sup>th</sup> RFP”);

2. Exhibits A, C, and D to the Declaration of Colin G. McCarthy in support of MCP on 4<sup>th</sup> RFP;

3. Portions of Verigy’s Notice of Motion, MPA, and Motion to Compel Discovery Responses from STS, Inc. Re 2<sup>nd</sup> Set of Interrogatories and 1<sup>st</sup> Set of Requests for Admissions (collectively “MCP on Interrogatories and RFAs”);

4. Exhibits A, B, C and D to the Declaration of Colin G. McCarthy in support of MCP on Interrogatories and RFAs;

5. Exhibits G and H to the Declaration of Colin G. McCarthy in Support of Verigy’s Notice of Motion and Motion to Compel Production of Documents from Defendants in Response to 3rd & 5th Sets of Requests for Production. (“MCP on 3<sup>rd</sup> & 5<sup>th</sup> RFP”)

These materials (hereafter “the Materials”) each disclose information that has been designated as “Highly Confidential—Attorneys’ Eyes Only” (portions of the MPA in support of MCP on 4<sup>th</sup> RFP and Exhibit C to McCarthy Declaration in support of the same; portions of the MPA in support of the MCP on Interrogatories and RFAs and Exhibit B to McCarthy Declaration in support of the same; and Exhibits G and H to the Declaration of Colin G. McCarthy in support of MCP on 3<sup>rd</sup> and 5<sup>th</sup> RFP”) or “Confidential” (portions of the MPA in support of MCP on 4<sup>th</sup> RFP and Exhibits A and D to McCarthy Declaration in support of the same as well as portions of the MPA in support of MCP on Interrogatories and RFAs and Exhibits A, C, and D to McCarthy Declaration in support of the same) by the parties under the protective order, without objection to those designations (although Verigy reserves its rights to challenge such designations pursuant to the Stipulated Protective Order). Although the information in the Materials has been designated as

1 protected from disclosure under the Protective Order, Verigy relies on this information in support  
2 of the three motions to compel (MCP on Interrogatories and RFAs; MCP on 4<sup>th</sup> RFP; and MCP on  
3 3<sup>rd</sup> and 5<sup>th</sup> RFP). The parties' confidentiality interest therefore overcomes the right of public  
4 access to the record, as a substantial probability exists that the parties' overriding confidentiality  
5 interest will be prejudiced if the record is not sealed. Further, the proposed sealing is narrowly  
6 tailored and no less restrictive means exist to achieve this overriding interest

7 Pursuant to Local Civil Rule 79-5(b)-(c), Verigy therefore lodges the Materials with this  
8 Court, and respectfully requests leave to file the aforementioned documents under seal.

9 Respectfully submitted.

10  
11 Dated: September 10, 2008

BERGESON, LLP

12 By: /s/  
13 Colin G. McCarthy  
14 Attorneys for Plaintiff  
15 VERIGY US, INC.  
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